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DEPARTMENT FOR T (MCNERNEY) AND WHA/CAR (BENT)

E.O. 12958: N/A

TAGS: [MASS](#) [PREL](#) [PARM](#) [JM](#)

SUBJECT: FOLLOW-UP ON ARTICLE 98 AGREEMENTS

REF: STATE 9723

This message is Sensitive But Unclassified. Please handle accordingly.

11. (U) This is an action request. Please see Paragraph 3.

12. (SBU) Following several unavoidably aborted meetings, Pol/EconCouns met on February 23 with Michelle Walker, Chief Legal Counsel, Ministry of Foreign Affairs and Foreign Trade (MFAFT) and Ambassador Vilma McNish, Director of the MFAFT's Office of International Organizations, to convey reftel demarche seeking renewed engagement with the GOJ towards an Article 98 Agreement, leaving reftel points as a non-paper.

13. (SBU) Walker confirmed Prime Minister P.J. Patterson's continued willingness to conclude an agreement with the USG as long as it neither weakened the Rome Treaty nor violated Jamaican law. She also mentioned that the GOJ is a long ways from ratifying the Rome Treaty. Walker noted that the GOJ had found especially useful an EU document (not further specified) prepared for EU members on how to craft an Article 98 agreement to ensure consistency with the Rome Treaty. She asked whether Nethercutt sanctions have yet been applied to any country. P/ECouns agreed to check with the Department and get back to her with a response. Action Request: Department please advise. End Action Request.

14. (SBU) Comment: Patterson is due to retire by April 1, to be replaced by current Minister of Local Government, Community and Sport Portia Simpson Miller, who won an internal Peoples National Party election to succeed Patterson as party president and PM. We will raise Article 98 with Simpson Miller and her foreign minister once that individual is named.

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